



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
2890 WOODBRIDGE AVENUE
EDISON, NEW JERSEY 08837-3679

Via Electronic Mail To: J.Guite@whitingcanada.com

Docket No. F-02-2020-5013

Jillian Guité
Innomotive Solutions Group
3435 South Service Road
Burlington, ON, Canada L7N 3W6

Re: NOTICE OF REFUSAL OF ADMISSION

Import of PDQ Disinfectant Cleaners, Entry No. WRT-15788310

Dear Ms. Guité:

In connection with the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA" or the Act), as amended, 7 U.S.C. § 136, et seq., the United States Environmental Protection Agency – Region 2 ("EPA" or the "Region") has examined samples or other evidence with respect to the following shipment:

Product Name: PDQ Disinfectant Cleaner & PDQ Scentless Disinfectant Cleaner

Importer: Whiting Door Manufacturing Inc.

Consignee: Amdor LLC

Manufacturer: Amdor Inc.

Bill Number: DHXV0303967

Entry Number: WRT-15788310

Entry Date: 04/14/20

Entry File Date: 04/13/20

Port of Entry: 0901 – Buffalo-Niagara Falls

Origin: Canada

Amount: 48 liters

You were previously notified via a Notice of Detention and Hearing, dated May 4, 2020, that the above-referenced products appear to be out of compliance with the Act and therefore subject to refusal of admission. The May 4, 2020 Notice further afforded you an opportunity to explain why the shipment should not be destroyed or refused entry. No material demonstrating that the products are in compliance with the Act and eligible for entry has been submitted to EPA. Instead, on May 5, 2020, you sent a statement via email to Michael Brannick of my staff in which you stated your company was not aware of the regulation of antibacterials and disinfectants by EPA and requested permission to keep the unregistered products for use at a New York facility. Unfortunately, as the products are not registered under FIFRA § 3(a), 7 U.S.C. § 136a(a), their distribution into the U.S. was in violation of FIFRA § 12(a)(1)(A), 7 U.S.C. § 136j(a)(1)(A), and they must be refused admission.

EPA therefore hereby notifies you that your merchandise has been refused admission. You must export this merchandise, under supervision of the U.S. Customs and Border Protection (CBP) and within ninety (90) calendar days from the date of this Notice or within such additional time as EPA or the District Director of CBP specifies or dispose of the products. Failure to do so may result in either the destruction of the merchandise as authorized by the Act, or, if the shipment has been released to you under bond, in any action necessary to enforce the terms of said bond.

EPA acknowledges that the COVID-19 pandemic may be impacting your business. If that is the case, we will consider your specific circumstances in determining an appropriate timeline for responding to this order, while still ensuring that the Agency receives the information it needs to timely confirm your company's compliance with FIFRA; such consideration does not extend to allowing the shipment and distribution of unregistered products into the United States.

If you have any questions, please contact Michael Brannick at 732-321-4349 or brannick.michael@epa.gov.

Sincerely,

for Dore LaPosta, Director
Enforcement & Compliance Assurance Division

cc: Krzysztof Zalecki, Whiting Door Manufacturing (krzysztof@whitingcanada.com)
Marion Bradnam, Universal Logistics USA (mbradnam@universallogisticsusa.com)
U.S. Customs and Border Protection at Buffalo/Niagara Falls (buffaloacedesk@cbp.dhs.gov)